

**Carter County Commission Meeting
Regular Session
Monday, November 19, 2012 – 9:00 A.M.**

APPROVED

Chairman, Tom Bowers called the meeting to order.

Roll Call as follows:

Present: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Present)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

Quorum Present.

At this time Mayor Humphrey respectfully requested that the agenda be amended moving Public Comments Item # XVI up to Item # X following the Mayors Report. However, Chairman Bowers stated that prayer and pledge would be held before any motions would be entertained.

Prayer was led by guest Pastor, Howard Estep, followed with the Pledge to the American Flag led by Sonja Culler.

Motion was made by John Lewis, seconded by Scott Sams and upon request from Mayor Leon Humphrey, to amend the agenda moving item XVI. Public Comments up to item X to follow the Mayor's Report.

By majority voice vote being nay, **motion failed.**

Chairman Bowers noted at this time a typographical error had been made in the October 15, 2012 minutes on page 708 and 709 (last vote on both pages, 5 Ayes to read 5 Nays / 9 Ayes to read 9 Nays). Also date on the Agenda should read November 2012 (not 2011).

Motion was made by JoAnn Blankenship, seconded by Sonja Culler to accept the minutes of the previous meeting, October 15, 2012 with corrections as noted and corrected.

By majority voice vote, all ayes, **motion carried.**

Motion was made by Lawrence Hodge, seconded by Ken Arney to accept the following Notaries and Bonds as presented.

By majority voice vote, all ayes, **motion carried.**

NOTAIRES/BONDS as presented November 19, 2012

Nancy M. Eddins	L. Michelle Melton	JoAnn Minton
Gregory Pierce	Linda L. Livingston	Carl A. Cable
Carrie G. Clark	Elaine A. Taylor	

Elected and Appoint Officials/Guest at this time were recognized and thanked for their service.

Mayor Humphrey presented plaques to the **Elizabethton High School Band** in recognition of winning the State Championship and other awards received in competition. It was noted that the band won its second state championship in three years. Accepting the plaques were Perry Elliott Band Director and Katie Pless Drum Major.

Presentation of a Plaque was also made to the **Carter County Jail Workforce** (Jail Inmate Garden) in recognition of the garden's success. This has been a new endeavor which has gone from planting and harvest to storage. Accepting the plaques were John Hubert and Beth Wolfe with the UT Extension office and Brenda Warner, Work Crew Supervisor.

Mayor's Report

Carter County Jail Garden Grant- Beth Wolfe of the UT Extension office was commented for writing the outstanding grant.

Motion was made by John Lewis, seconded by Nancy Brown, and upon recommendation of Mayor Leon Humphrey, to **accept grant monies** from the East Tennessee Foundation with the understanding that these funds are to be used solely for the **Carter County Jail Garden** expansion program.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, *L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes) (*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting).

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Carter County Emergency Communications District 911 Board of Directors appointment. Recommendation was received from Terry D. Blevins, Director of the 911 Board, of the nomination on the board for Steve Lowe to the open seat. Mr. Lowe is currently captain of West Carter County Volunteer Fire Department and secretary/treasurer of the Carter County Volunteer Firefighters Association.

Motion was made by JoAnn Blankenship, seconded by Sonja Culler and upon recommendation from Mayor Leon Humphrey, to accept and confirm the **appointment of Steve Lowe to the Carter County Emergency Communications District 911 Board of Directors.**

By majority voice vote, all ayes, **motion carried.**

Display case donated by Charles Green. Case is 7' X 6'2" and 33 inches in depth and includes lighting. This was used by the North American Rayon Corporation to display various items made by NARC for NASA.

Motion was made by John Lewis, seconded by JoAnn Blankenship to accept the donation of the **display case from Charles Green.** Case is to be placed on first floor of the courthouse with the county transporting and setting this up once it become county property.

By majority voice vote, all ayes, **motion carried.**

State Representative Kent Williams spoke and addressed the following items.

Recognition of Commissioner, Charlie "Coach" Bayless on his recent induction into the Carter County Sports Hall of Fame.

Redistricting of Carter County- its changes and effects.

Affordable Health Care Act- State leaders must decide to act on a state level or allow federal control. Rep. Williams stated that he would support the Governor with his decision.

Meth Labs and Drug Abuse – Legislation passed creating a database listing over-the-counter purchasers of medications used to manufacture meth.

Transportation Funding – Revenue funding are decreasing. Different ways of increasing these funds are being explored.

Elizabethton Fish Hatchery – Rep. Williams stated that he and Lt. Gov. Ron Ramsey, along with officials with TWRA will be visiting a Texas hatchery similar to the one that is to be placed in Elizabethton. Carter County will benefit more than anyone he stated, even though this is a state project.

Election Primaries -Legislation being considered to close the primaries in Tennessee. This would mean that voters would have to register and chose a party in order to vote.

Downsizing of County Commission – Rep. Williams stressed that it is not the number of commissioners, but the way decisions are made. He stated that the key to good leadership is not the number of people on the commission, but everyone working together for the benefit of Carter County.

Representative Kent Williams followed up by taking questions and request from the commission.

Commissioner Charles VonCannon – Unfunded state mandates and prescription drug abuse

Commissioner Steve Lowrance- Thank you for continuing to support Carter County.

Commissioner JoAnn Blankenship –Additional funding needed to house State Prisoners

Commissioner Steve Chambers - Traffic concerns/signals needed on Hwy 19E and Valley Forge areas. Thank-you for supporting Carter County.

Commissioner Charlie Bayless- Sate mandates concerns

Motion was made by Bill Armstrong, seconded by Charles Bayless to go “on record” that the Carter County Commission **supports the continuation of the pursue of the Elizabethton Fish Hatchery Project.**

By majority voice vote, all ayes, **motion carried.**

Carter County Expenditure Budget Reports for the month ending October 31, 2012 was provided to Commissioners by Ingrid Deloach, Finance Director. Included in the reports was the Account Numbers, Account Description, Budget Amounts, Budget Amendments, Amended Budgets, Month-to- Date Expenditures, Year-to-Date Expenditures, Outstanding Encumbrances and Unencumbered Balances.

COMMITTEE REPORTS/RECOMMENDATIONS

LANDFILL COMMITTEE, Chairman Joel Street expressed a thank-you to everyone that helped with and supported the American Recycles Day.

The Recycle Incentive Program was discussed. This program was stated as being designed to reduce waste and reward employees for recycling.

Marissa Potter, on behalf of Carter County Schools spoke stating that everyone was excited with the program as this would encourage recycling. It was noted was that this still needs approval from the County and City School Board.

BUDGET COMMITTEE

Motion was made by Harry Sisk, seconded by Sonja Culler to **approve the Recycling Performance Bonus Program for a one year trial basis.** This program would benefit custodians and cafeteria personnel in the county, county schools, and city schools. Said employees would only receive a bonus if the sale of recycled materials grows over a designated \$ 50,000 base amount. Thirty-five percent of that growth over the base would be available for bonuses. A chart concerning the Recycle Incentive Program is noted and recorded on page 734.

Roll Call vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, and Robert Gobble. (19 Ayes)

Nays: Scott Sams (1 Nay)

Passing: Charles VonCannon (1 Passing)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Joel Street and upon request from Assessor of Property Ronnie Taylor to refund the identified taxpayers the amounts overpaid which total \$873.98 with funds coming from Fund Balance. It was noted that two parcels of property had been mistakenly assessed with an additional structure that had already been assessed to another parcel.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes)

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Nancy Brown to approve the transfer of \$15,300 from the Litigation Tax Reserve-Courthouse and Jail Maintenance to cover the cost of engineering concerning the jail parking lot construction.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, JoAnn Blankenship, Charlie Bayless, Ken Arney, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (18 Ayes)

Nays: Tom Bowers, Steve Chambers, and John Lewis (3 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Nancy Brown to approve the bid received from Night Owl Security for \$5,995 for fire alarm/security system for the animal shelter once it is completed. It was noted that this item had not been included in the construction contract.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes)

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Nancy Brown, to allocate funds for the Inmate Healthcare contract in the amount of \$36,225. This is to cover the contract from the

General Fund Balance to complete the 2012-2013 budget year. The Sheriff must make every effort possible to recoup the funds within his budget so that the General Fund Balance can be restored.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)

Nays: John Lewis (1 Nay)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Nancy Brown to **approve the purchase of software and hardware for the Sheriff's Department's Records Management System** through the 2010 Homeland Security Grant. Amount of Grant received was noted as being \$ 19,016.90 and this was a 100% Grant.

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes)

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Steve Chambers to approve **General Fund 101 Budget Amendment #3 with 13 items for a total of \$204,729.36** with nothing coming from Fund Balance. Recorded on page 735 - 736.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes)

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Steve Lowrance to approve **General Purpose School Fund 141 Amendment # 3 with 2 items for a total of \$54,035** with nothing coming from Fund Balance. Recorded on page 737.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, *Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, *Ken Arney, *Steve Chambers, John Lewis, *Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes) (*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Ronnie Trivett, Dickie Renfro and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Harry Sisk, seconded by Russell Kyte, to approve **Federal Project Fund 142 Amendment # 3 with 2 items for a total of \$590,767.20** with nothing coming from Fund Balance. Record on Page 737.
Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, *Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, *Ken Arney, *Steve Chambers, John Lewis, *Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes) (*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, Dickie Renfro, and Pat Hicks. (4 Absent)

By majority roll call vote, **motion carried.**

LAW ENFORCEMENT COMMITTEE

Motion was made by Buford Peters, seconded by Ken Arney to approve and accept the **Fingerprinting Agreement with the City of Elizabethton.** Recorded on pages 738-740.

By majority voice vote, all ayes, **motion carried.**

BUILDING AND GROUNDS COMMITTEE

Motion was made by L.C. Tester, seconded by Sonja Culler to approve and accept the License Agreement with the State of Tennessee allowing placement of **Kiosk-Driver License Renewal Equipment in the County Clerks office** for a ninety (90) day trial period followed by a one (1) year contract. Recorded on pages 741-745.

By majority voice vote, all ayes, **motion carried.**

HIGHWAY COMMITTEE

Motion was made by Gebe Ritchie, seconded by John Lewis to approve and extend the boundaries of **Ripshin Mountain Road to Highway 19E South and ending at Captain Nelson Cemetery.**

By majority voice vote, all ayes, **motion carried.**

Motion was made by Gebe Ritchie, seconded by Joel Street to approve a request from the Little League concerning **grade work of a parking area at the ball field located off West Elk Avenue (City property) by allowing the Carter County Highway Department to provide a road grader and do work in this area. This is due to the City not having a grader.**
By majority voice vote, all ayes, **motion carried.**

Motion was made by Joel Street, seconded by Nancy Brown to enter into a five minute recess.

By majority voice vote, all ayes, **motion carried.**

Following the recess, Chairman Bowers called the meeting **back to order.**

JUDICIAL COMMISSIONER ELECTION was called for by Chairman Bowers at this time.

Voting for J.D. Anderson were:

Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Steve Chambers, Scott Sams and Robert Gobble. (8 votes for J.D. Anderson)

Voting for Bobby Huffman were:

Buford Peters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, and Bill Armstrong. (13 votes for Bobby Huffman)

Absent were: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

Vote was 8 votes for J.D. Anderson, 13 votes for Bobby Huffman and 3 were absent.

Bobby Huffman, receiving the majority vote was elected Judicial Commissioner.

Chairman Bowers ask if there were any objections to entering into a Public Hearing at this time, they were none.

Commission Recessed and entered into the **Public Hearing** concerning the following:

Resolution A: Storm Water Fine Resolution

Resolution B: Storm Water Definition Resolution

Resolution C: Water Quality Management Resolutions

(*Note: Resolution D: Rescue Squad Resolution, does not require public hearing)

County Re-Zoning Request: Highway 91 , Big Springs

Chris Schuettler, Planning Director took the podium to explain and present the resolutions for consideration.

Citizens and Commissioners were allowed to make comments and ask questions concerning the items listed at this time.

Public Hearing was closed and the **Regular Session of the Carter County Commission was called back to order by Chairman Bowers.**

Motion was made by Bill Armstrong, seconded by Harry Sisk to **suspend the reading** of the following:

Resolution A: Resolution for Amending the Storm Water Resolution of Carter County Tennessee (Storm water Fine Resolution)

Resolution B: Resolution for Amending the Storm Water Resolution of Carter County Tennessee (Storm Water Definition Resolution)

Resolution C: Resolution Adopting the Covenants for Permanent Maintenance of Water Quality Facilities and Best Management Practices Agreement to Comply with the Tennessee Department of Environment and Conservation Post Construction Water Quality Requirement.

Resolution D: Resolution Granting an Exclusive Franchise for Ambulance and Rescue Services to Carter County Emergency & Rescue Squad, Inc. for all Unincorporated Areas of Carter County, Tennessee

By majority voice vote, all ayes, **motion carried.**

Motion was made by L.C. Tester, seconded by Russell Kyte to approve Resolution A:

"Resolution No. 576 for Amending the Storm Water Resolution of Carter County, Tennessee "(Storm water Fine Resolution) with the amendment concerning the Penalties Enforcement section stating that the Director and/or Agent of the Carter County Planning Commission may enforce and/or issue citations for violations. Recorded on pages 746 - 747.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (18 Ayes)

Nays: Nancy Brown, Joel Street, and John Lewis. (3 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Lawrence Hodge, seconded by Russell Kyte to approve Resolution B:
"Resolution No. 577 for Amending the Storm Water Resolution of Carter County,
Tennessee" (Storm Water Definition Resolution) Record on pages 748-749.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, L.C. Tester,
Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve
Chambers, Sonja Culler, Russell Kyte, Scott Sams, and Bill Armstrong. (16 Ayes)

Nays: Nancy Brown, Joel Street, Charles VonCannon, John Lewis, and Robert Gobble. (5 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by JoAnn Blankenship, seconded by L.C. Tester to approve Resolution C:
"A Resolution Adopting the Covenants for Permanent Maintenance of Water
Quality Facilities and Best Management Practices Agreement to Comply with the
Tennessee Department of Environment and Conservation Post Construction Water
Quality Requirements." Resolution No. 578 with amendments as directed. Recorded on
Pages 750-758.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Charles
VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless,
Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and
Robert Gobble. (18 Ayes)

Nays: Nancy Brown, Joel Street, and John Lewis. (3 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by L.C. Tester, seconded by Lawrence Hodge to approve the Re-Zoning Request
of Highway 91 from A-1A (Agriculture) to B-3 (Business).

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters,
Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn
Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott
Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)

Nays: John Lewis (1 Nay)

Absent: Ronnie Trivett, Dickie Renfro and Pat Hicks. (3 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Gebe Ritchie, seconded by Russell Kyte, to approve the Re-Zoning Request of
Big Springs from A-1A (Agriculture) to R1 (Business) with the pending approval from
Jack Perkins, Highway Superintendent stating the change in road/traffic is safe to do so.

Roll Call vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters,
Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn
Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott
Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)

Nays: John Lewis (1 Nay)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks (3 Absent)

By majority roll call vote, **motion carried.**

Chairman Bowers welcomed Richard Norris, Attorney for the Carter County Emergency & Rescue Squad, Inc. to the podium for discussion concerning the aforesaid Resolution D.

A lengthy discussion period followed with several comments as to the length of the contract, fees charged for services, loan requirements and the effect on the 2012-2013 budget.

Motion was made by Ken Arney, seconded by Robert Gobble to **remove the word "EXCLUSIVE" from the Resolution D (Rescue Squad Contract) as presented.**

Discussion noted that the the contract, once signed, would began immediately if accepted and approved.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Steve Lowrance, Ken Arney, Steve Chambers, and Robert Gobble. (6 Ayes)

Nays: Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Tom Bowers, JoAnn Blankenship, Charlie Bayless, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, and Bill Armstrong. (15 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion failed.**

Motion was made by John Lewis, seconded by Nancy Brown to **approve Resolution D (Rescue Squad Contract) with approval for a four (4) year contract.**

It was noted that the Health and Welfare Committee approved and made the recommendation of the one (1) year contract to be presented to the commission for further approval.

Discussion followed noting that some citizens were unable to pay charges made by the Rescue Squad and afraid of legal action.

Attorney Norris stated that anyone receiving a billing invoice has, under the current Rescue Squad guidelines, to complete a form requesting assistance with charges. This request would be reviewed and decision would be made by the board concerning the charges.

The charge list presented by the Rescue Squad was also discussed. County Finance Director, Ingrid Deloach informed the commission that if approved, these charges had not been budgeted for the 2012-2013 year.

Motion was made by Gebe Ritchie seconded by Ken Arney to **table the above motion** concerning the approval of a Rescue Squad four (4) year contract.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (17 Ayes)

Nays: Nancy Brown, Charles VonCannon, L.C. Tester and John Lewis. (4 Nays)

Absent: Ronnie Trivett, Dickie Renfro, and Pat Hicks. (3 Absent)

By majority roll call vote, **motion to table carried.**

Motion was made by Gebe Ritchie, seconded by Scott Sams to approve **Resolution D:**
Resolution No. 579 Granting an Exclusive Franchise for Ambulance and Rescue Services to Carter County Emergency & Rescue Squad, Inc. for All Unincorporated Areas of Carter County, Tennessee with an Addendum 1 striking the last two parts on the charge list (as not to charge for DOA or prisoner transports). This being a one (1) year contract.
Recorded on pages 759-762.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (18 Ayes)

Nays: Nancy Brown, Ken Arney, and John Lewis. (3 Nays)

Absent: Ronnie Trivett, Dickie Renfro and Pat Hicks. (3 Absent)

By majority roll call vote **motion carried.**

Chairman Bowers stated that this contract had to be accepted and agreed upon by the Carter County Emergency and Rescue Squad before going into effect.

Attorney Norris stated that he would inform the commission as soon as possible concerning acceptance of this agreement.

COUNTY ATTORNEY'S REPORT – KEITH BOWERS, JR.

Items reported on and discussed included the following.

- Rescue Committee Hearing
- Industrial Board Issuance of Bonds
- Road Right-of-Way/Bridges
- Storm Water Resolutions and TDOT issues
- Private Act for Compensation of Park and Recreation Board Members being drafted
- Landfill-Bid Issues
- Inmate Harris – Case Litigation Issues
- Ice House – Case Litigation Issues
- Animal Shelter Contract with City of Elizabethton
- Milligan College Housing Units – Bond Hearing
- Fingerprinting Resolutions
- Kiosk-Driver License Renewal Equipment (in County Clerk's Office)
- Jail Health Care

PUBLIC COMMENTS was voiced by the following on numerous issues.

- Roy Livingston – Contention of hatred and placement of Public Comments on the Agenda
- Scott Snell – Non-Profit organizations cannot refuse viewing of Financial Reports
- Jim Dabbadanza – Recycling

Scott Bowers, Carter County Historian at this time read “America's Still Free” in recognition of Veteran's Day and Thanksgiving.

COMMISSIONERS COMMENTS

John Lewis voiced that he had received several complaints concerning cable issues. Attorney Keith Bowers, Jr. stated that he would research this issue and report findings.

Chairman Bowers announced that the December Regular Session of the County Commission was canceled and the next meeting would be January 22, 2012 at 9:00 AM.

Motion to adjourn was made by Gebe Ritchie, seconded by Robert Gobble.

By majority voice vote, all ayes, **motion carried** and meeting adjourned at 12:55 PM

Recycle Incentive Program

Eligible Employees:

Landfill

Cafeteria

- Carter County School System
- Elizabethton City School System
- Carter County Jail

Janitors

- Carter County School System
- Elizabethton City School System
- Carter County Janitorial Staff

Growth over \$50,000 Base (\$50,000 Base = Carter County retains 100% of the first \$50,000)

Recycle Incentive Program

Growth Over \$50,000 Base	\$10,000	\$25,000	\$50,000	\$100,000	\$150,000
% Available for Bonus	35%	35%	35%	35%	35%
Funds Available for Bonus	\$3500	\$8750	\$17,500	\$35,000	\$52,500
Number of Employees	202	202	202	202	202
\$ Amount of Bonus Per Employee	\$17.33	\$43.32	\$86.63	\$173.27	\$259.90
Full-Time Benefits by Employer	\$3.77	\$9.43	\$18.86	\$37.72	\$56.68
Bonus Amount- Employer Benefits	\$13.55	\$33.89	\$67.77	\$135.55	\$203.32
Employee Paid Benefits	\$1.71	\$4.29	\$8.57	\$17.15	\$25.72
Net Employee Amount	\$11.84	\$29.60	\$59.20	\$118.40	\$177.60
Additional Funds for County	\$6500	\$16,250	\$32,500	\$65,000	\$97,500

Note: If passed by Full Commission program would still need approval from County and City School Boards.

**#3 General Fund -101
2012-13 Budget Amendments
19-Nov-12**

Item #1	49700	Insurance Recovery	\$	6,671.68	Decrease	
	54110-338	Maintenance & Repairs-Vehicles			\$	6,671.68 Increase

Insurance recovery for accidents - Sheriff's Dept

Item #2	44170	Miscellaneous Refunds	\$	1,130.50	Decrease	
	54210-507	Medical Claims			\$	1,130.50 Increase

Medical supplies for inmates - Jail

Item #3	44170	Miscellaneous Refunds	\$	150.00	Decrease	Increase
	54110-353	Tow-In Services			\$	150.00

Refund for tow-in services - Sheriff's Dept

Item #4	48610	Donations	\$	1,000.00	Decrease	
	54110-719	Office Equipment			\$	1,000.00 Increase

Donation from Milligan College - Sheriff's Dept

Item #5	48610	Donations	\$	4,000.00	Decrease	
	54110-716	Law Enforcement Equipment			\$	4,000.00 Increase

Donation from Calendars - Sheriff's Dept

Item #6	44170	Miscellaneous Refunds	\$	990.00	Decrease	
	54110-716	Law Enforcement Equipment			\$	990.00 Increase

Hand gun background checks - Sheriff's Dept

Item #7	48610	Donations	\$	25.00	Decrease	
	54110-719	Office Equipment			\$	25.00 Increase

Personal donation - Sheriff's Dept

Item #8	44170	Miscellaneous Refunds	\$	47.01	Decrease	
	54210-335	Maintenance & Repairs-Building			\$	47.01 Increase

Reimbursement from inmate for damage to Jail

Item #9	47620	Police Service (Lake Area)	\$	12,000.00	Decrease	
	54110-106	Deputies			\$	12,000.00 Increase

Forestry Service reimbursement for Sheriff's Dept

Item #10	47660	FHA Grant	\$	41,796.34	Decrease	
	58130-599	Other Charges			\$	4,846.34 Increase
	58130-791	Other Construction			\$	36,950.00 Increase

Home Grant

Item #11	46420	State Aid Program	\$	104,139.65	Decrease	
	58190-399-61	Other Contracted Services			\$	97,889.65 Increase
	58190-599-61	Other Charges			\$	6,250.00 Increase

Little Milligan/Fish Springs Water Line Ext

Item #12	46990	Other State Revenue	\$	15,779.18	Decrease	
	58900-399	Other Contracted Services			\$	15,779.18 Increase

Railroad Authority

Item #13	43370	Telephone Commission	\$	17,000.00	Decrease	
	54110-335	Maintenance & Repairs - Building			\$	7,000.00 Increase
	54110-716	Law Enforcement Equipment			\$	10,000.00 Increase

Telephone Commission Securus - Sheriff's Dept

Total			\$	204,729.36		
					\$	204,729.36

Carter County Schools
General Fund 141
Budget Amendment #3

Item # 1	47143 Special Ed Preschool-High Cost		\$	34,955.73	Increase
	47145 Speical Ed Preschool-High Cost		\$	14,643.27	Increase
	71200-399 Other Contracted Services	\$	7,801.00		Increase
	71200-429 Instructional Supplies & Materials		\$	1,436.00	Decrease
	71200-499 Other Supplies & Materials	\$	13,231.00		Increase
	71200-725 Special Ed. Equipment	\$	7,000.00		Increase
	72220-355 Travel	\$	8,000.00		Increase
	72220-499 Other Supplies & Materials	\$	5,003.00		Increase
	72220-524 Inservice/Staff Development	\$	6,000.00		Increase
	72220-599 Other Charges	\$	4,000.00		Increase

To recognize Special Ed Preschool High Cost Grants.

Item #2	73400-207 Medical Insurance		\$	3,000.00	Decrease
	73400-351 Rentals	\$	3,000.00		Increase

To reallocate funds within Pre-K Budget for building rent.

Total \$ 54,035.00 \$ 54,035.00

Carter County Schools
Federal Projects Fund 142
Budget Amendment #3

Item #1	47131-801 Vocational Program Improvement		\$	116,042.00	Increase
	71300-730-801 Career and Technical Equipment	\$	83,404.00		Increase
	72130-146-801 Bus Drivers	\$	1,300.00		Increase
	72130-189-801 Other Salaries & Wages	\$	500.00		Increase
	72130-355-801 Travel	\$	25,038.00		Increase
	72130-399-801 Other Contracted Services	\$	4,800.00		Increase
	72230-355-801 Travel	\$	1,000.00		Increase

To recognize Federal CTE Budget.

Item #2	47311-580 First to the Top		\$	474,725.20	Increase
	71100-116-580 Teachers	\$	120,102.00		Increase
	71100-201-580 Social Security	\$	7,446.32		Increase
	71100-204-580 State Retirement	\$	10,665.05		Increase
	71100-206-580 Life Insurance	\$	50.40		Increase
	71100-207-580 Medical Insurance	\$	12,041.36		Increase
	71100-208-580 Dental Insurance	\$	497.00		Increase
	71100-210-580 Unemployment Compensation	\$	37.80		Increase
	71100-212-580 Employer Medicare	\$	1,741.48		Increase
	71100-399-580 Other Contracted Services	\$	67,500.00		Increase
	71100-429-580 Instructional Supplies & Materials	\$	5,500.00		Increase
	71100-499-580 Other Supplies & Materials	\$	382.07		Increase
	71100-722-580 Regular Instruction Equipment	\$	10,488.00		Increase
	72110-355-580 Travel	\$	3,000.00		Increase
	72130-189-580 Other Salaries & Wages	\$	43,200.12		Increase
	72130-212-580 Employer Medicare	\$	532.76		Increase
	72130-322-580 Evaluation & Testing	\$	35,425.23		Increase
	72210-189-580 Other Salaries & Wages	\$	37,813.76		Increase
	72210-196-580 In-Service Training	\$	21,750.00		Increase
	72210-201-580 Social Security	\$	3,693.70		Increase
	72210-204-580 State Retirement	\$	7,272.25		Increase
	72210-206-580 Life Insurance	\$	27.72		Increase
	72210-207-580 Medical Insurance	\$	6,583.36		Increase
	72210-208-580 Dental Insurance	\$	273.35		Increase
	72210-210-580 Unemployment Compensation	\$	37.80		Increase
	72210-212-580 Employer Medicare	\$	863.67		Increase
	72210-524-580 In-Service/Staff Development	\$	50,800.00		Increase
	72410-499-580 Other Supplies & Materials	\$	27,000.00		Increase

To recognize First to the Top Budget.

Total \$ 590,767.20 \$ 590,767.20

FINGERPRINTING AGREEMENT

THIS AGREEMENT made and entered into by and between **CARTER COUNTY, TENNESSEE**, a political subdivision of the State of Tennessee, Party of the First Part, and the **CITY OF ELIZABETHTON, TENNESSEE**, a municipal corporation with situs in Carter County, Tennessee, Party of the Second Part.

W-I-T-N-E-S-S-E-T-H:

WHEREAS, pursuant to Resolution No. 42-47 passed on August 10, 2006, the City of Elizabethton approved a Fingerprinting Agreement with Carter County, Tennessee, regarding the purchase and use of automated fingerprint equipment; and

WHEREAS, it is the desire of the Carter County Sheriff's Department and the City of Elizabethton Police Department to continue to jointly utilize automated fingerprint equipment ("live scan" fingerprint equipment); and,

WHEREAS, the City of Elizabethton desires to pay the cost and maintenance of this equipment, which cost to the City is Twenty Seven Thousand One Hundred Eighty Eight (\$27,188.00) Dollars to purchase the equipment along with the annual maintenance cost; and,

WHEREAS, the contribution on behalf of the City of Elizabethton will enable the Carter County Sheriff's Department to acquire and maintain the necessary equipment to fingerprint all persons arrested by the City of Elizabethton Police Department; and,

WHEREAS, the best interest of all citizens and residents of Carter County, Tennessee, and the City of Elizabethton, Tennessee, shall be served by the acquisition and operation of this equipment by the Carter County Sheriff's Department.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. That the City of Elizabethton Police Department will provide all information and forms required for the booking process for all prisoners arrested by the City of Elizabethton Police Department. The Carter County Sheriff's Department personnel will fingerprint all prisoners as required by Tennessee Code Annotated §38-3-122 and Tennessee Code Annotated §8-4-115 and will forward the fingerprint cards to the

Elizabethton Police Department. The Elizabethton Police Department will submit the required fingerprint cards to the Tennessee Bureau of Investigation.

2. The City of Elizabethton shall reimburse the Carter County Sheriff's Department the sum of Twenty Seven Thousand One Hundred Eighty Eight (\$27,188.00) Dollars within ten (10) days of the approval of this Agreement and execution thereof by the Mayor and the County Executive. This figure represents the purchase price of a Fingerprint System from MorphoTrak, Inc. by Carter County, Tennessee. The City shall bear the annual maintenance cost on said system.

3. That Carter County, Tennessee, will be responsible for the eighty-five (85%) percent retention rate by the Tennessee Bureau of Investigation as provided by statute.

4. That the Carter County Sheriff's Department will complete the R-84 disposition card at the time of booking and forward it to the Elizabethton Police Department. The Elizabethton Police Department will be responsible for obtaining the final disposition of the case and forwarding the completed R-84 card to the Tennessee Bureau of Investigation.

5. The effective date of this Agreement shall be the date of the actual acquisition of the equipment and the Agreement shall remain in effect for the life of the equipment.

6. This instrument shall be executed in duplicate originals with a copy being retained by each party.

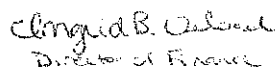
7. The execution of this Agreement was authorized by the City Council of the City of Elizabethton, Tennessee, meeting in regular session on October 11, 2012, and the execution of this Agreement was authorized by the County Commission for Carter County, Tennessee, meeting in regular sessions on November 19, 2012.

IN WITNESS WHEREOF, the parties hereto have hereunto caused their official signatures to be affixed on this the 20th day of November, 2012.

CARTER COUNTY, TENNESSEE

BY: 

LEON HUMPHREY
COUNTY MAYOR


Director of Finance

ATTEST:



Mary Gouge
MARY GOUGE, COUNTY CLERK

CITY OF ELIZABETHTON, TENNESSEE

Curt Alexander
CURT ALEXANDER, MAYOR

ATTEST:

Jerome D. Kitchens
JEROME D. KITCHENS, CITY CLERK

Site: _____

LICENSE AGREEMENT

THIS LICENSE AGREEMENT (this "Agreement") is made and entered into this _____ day of Nov. 19, 2017 (the "Effective Date"), by and between Mary Gouge, Carter Co. Clk. ("Licensor") and the STATE OF TENNESSEE ("Licensee").

WITNESSETH:

WHEREAS, Licensor is the owner or lessee of certain real property located at 801 E. Elk Avenue, on which is constructed a Gov. Office Bldg. (the "Property"); and

WHEREAS, Licensor and Licensee agree that it will be mutually beneficial for Licensee to use a portion of the Property for the purpose of installing and maintaining a kiosk and related equipment (collectively, a "Kiosk") that will produce driver licenses issued by the State of Tennessee, pursuant to the terms and conditions of this Agreement.

NOW, THEREFORE, for and in consideration of the terms, conditions and mutual covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, Licensor and Licensee hereby agree as follows:

1. License. Licensor hereby grants to Licensee, its agents, contractors and employees, the non-exclusive right, privilege and license to use the Property to install, operate, inspect, alter, improve, maintain and repair a Kiosk that will be available for use by members of the general public (the "License").
2. Term. The License is granted for a term of one (1) year beginning on the Effective Date, unless earlier terminated pursuant to the terms of this Agreement. This Agreement shall renew automatically for successive one-year periods unless either party provides notice of its intention not to renew within ninety (90) days before the end of the then current term.
3. Termination Rights. Either party may terminate this Agreement at any time upon ninety (90) days written notice to the other party. Upon Licensor's breach of the terms and conditions of this Agreement, Licensee may terminate this Agreement upon notice to Licensor.
4. Representations of Licensor. Licensor represents to Licensee that (i) the business located on the Property is a Government Office Building, with regular business hours of M-F 8:00-4:30 p.m. / S 8-12, and (ii) Licensor's use of the Property meets the requirements set forth in the Kiosk Facility Requirements attached hereto as Exhibit A (collectively, the "Current Use"). Licensor shall communicate any changes in the Current Use of the Property to Licensee. In the event Licensee, in its sole discretion, finds such changes to the Current Use of the Property to be disadvantageous to Licensee, Licensee may terminate this Agreement upon notice to Licensor.

5. Utilities. Licensor agrees to provide all utilities necessary for the operation of the Kiosk at no cost to Licensee.
6. Security. Licensor shall take reasonable measures to keep the Kiosk free from damage. Licensor shall inspect the Kiosk at least once during each day of operation to insure the Kiosk is functioning properly and has not been tampered with or had any unauthorized changes or modifications. The Kiosk shall remain locked at all times when unattended. Licensor shall only access the inside cabinet of the Kiosk as necessary to support the operations of the Kiosk. Licensor will immediately notify Licensee of any adverse event affecting the operation of the Kiosk.
7. Non-Interference. Licensor retains the right to use the Property in any manner not inconsistent with the rights herein granted to Licensee, provided that Licensor shall not disturb Licensee's use of the Property as set forth in this Agreement. Licensor shall not disturb or relocate the Kiosk without the prior written consent of Licensee.
8. Mutual Benefit. Because both Licensor and Licensee shall benefit from the License, no rent or fees shall be required under this Agreement.
9. Removal. Upon the expiration or earlier termination of this Agreement, Licensee shall remove the Kiosk from the Property. The Kiosk shall remain at all times the property of Licensee.
10. Release. *Licensor hereby unconditionally releases and discharges Licensee from any and all charges, claims, liabilities, obligations, damages, actions, costs, losses and expenses of any nature whatsoever arising in connection with Licensee's operation of the Kiosk on the Property. [Delete this section for Governmental Facilities.]*
11. Assignment. Neither party may assign this Agreement without the prior written consent of the other party, which may be withheld in its sole discretion; provided, however, that Licensee may assign this Agreement to a contractor or agent of Licensee responsible for maintaining the Kiosk.
12. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument.
13. Approval. *The owner of the Property (the "Property Owner") provides its signature below to evidence its consent to this License Agreement. [Delete this section if the Property is owned by Licensor.]*

Signature Page Follows

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

LICENSOR:

LICENSEE:

THE STATE OF TENNESSEE

By: _____
Steven G. Cates,
Commissioner, Department of General Services

_____, the Property Owner, hereby consents to this License Agreement.

By: _____

Name: _____

Title: _____

Date: _____

[Delete this section if the Property is owned by Licensor.]

EXHIBIT A

Kiosk Facility Requirements

In order for a business ("Licensor") to be eligible to have a kiosk and related equipment that will produce driver licenses issued by the State of Tennessee (collectively, a "Kiosk") installed and maintained at Licensor's facility (the "Facility"), the Facility must comply with the requirements set forth in this Exhibit A for the type of Facility that Licensor operates.

I. Eligibility Requirements of Governmental Facilities.

A "Governmental Facility" is a Facility owned or operated by a federal, state or local government. Governmental Facilities shall meet the following requirements:

- (a) The Facility shall be located within the geographical boundaries of the State of Tennessee.
- (b) The Facility shall be a permanent, regularly occupied structure in which administrative and/or operational business is conducted.
- (c) There must be no fees associated with using the Kiosk other than those fees approved by the State of Tennessee's Driver Services Division.

II. Eligibility Requirements for Travel Services Facilities

A "Travel Services Facility" is a Facility that provides services to vehicular travelers such as motorist assistance services and travel agency services, and does not sell petroleum products. Travel Services Facilities shall meet the following requirements in addition to all of the requirements of Governmental Facilities set forth in Section I above:

- (a) No person shall be excluded from the Facility on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by federal or Tennessee law.
- (b) The Facility shall be accessible by public telephone; shall have an established permanent mailing address including a street address or route number; shall be operationally and environmentally safe; and shall meet all requirements of Federal, Tennessee and local law, including, without limitation, the Americans with Disabilities Act.
- (c) The Facility must be open to the public for at least 8 consecutive hours between 6:00 a.m. and 9:00 p.m. Monday through Friday.
- (d) No Facility shall be eligible for a Kiosk if the Facility serves only persons who are members of a club or association operated by or through the Facility and the guests of such members.

August 6, 2012

- (e) The possession of firearms shall be prohibited in the Facility, except for such possession by law enforcement and authorized security personnel.
- (f) The Facility shall not advertise products such as alcohol, cigarettes or adult material in locations at the Facility which are visible from the Kiosk.

III. Space-Related Requirements

All Governmental Facilities and Travel Services Facilities shall comply with the following:

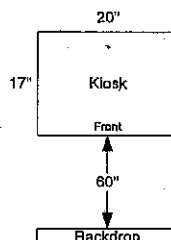
- (a) The Facility shall meet the following environmental requirements:
 - (i) The Kiosk must be able to plug into a standard US-style electrical outlet with an electrical power requirement of 120 VAC nominal +/- 10%.
 - (ii) The ambient temperature must be 68°F to 75°F when the Facility is open to the public or 55°F to 90°F when the Facility is not open to the public.
 - (iii) The humidity must be 30% to 90% when the Facility is open to the public or 10% to 90% when the Facility is not open to the public. The humidity must be non-condensing.
- (b) The Facility shall meet the following space-related requirements:
 - (i) The Kiosk shall be deployed in an area where applicants can easily gain access to it. The area must have controlled lighting, an Ethernet outlet, and enough physical space to allow the Kiosk to be utilized by members of the public, including disabled persons. Controlled lighting means the Kiosk shall not be near a window or areas with brightness that varies throughout the day.
 - (ii) The Kiosk and backdrop should be allocated a physical space of at least approximately 32 inches x 80 inches (2'8ft x 6'8ft). There must also be space for a minimum of 4 applicants waiting to be served.
 - (iii) The Kiosk must be placed in a secure area to prevent any attempts of vandalism.

The diagram on the following page illustrates the layout of the Kiosk, and the Facility must provide ample space for this layout:

August 13, 2012

A-2

Minimum Kiosk Hardware Footprint (80" x 17")



745

BEFORE THE COUNTY COMMISSION

OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, November 19, 2012

RESOLUTION NO. 516

**"RESOLUTION FOR AMENDING THE STORM WATER RESOLUTION OF
CARTER COUNTY, TENNESSEE"**

WHEREAS, Carter County has adopted a Storm Water Resolution for Carter County, Tennessee; and

WHEREAS, the Carter County Commission realizes that the storm water plan must be amended periodically to remain in compliance with applicable Tennessee state statutes; and

WHEREAS, the Penalties Enforcement section of the current Storm Water Resolution states as follows:

"Penalties Enforcement. Any Developer or person who shall commit any act declared unlawful under this Resolution, who violates any provision of this Resolution, who violates the provisions of any permit issued pursuant to this Resolution, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by any authorized Enforcement officer or the Carter County Planning Commission, shall be guilty of a misdemeanor, and each day of such violation or failure to comply shall be a separate offense and punishable accordingly. Upon conviction, the Developer or person shall be subject to fines of up to \$50.00 for each offense, with each following day constituting a new offense. Unless otherwise specified within a section of this Resolution, the Director of Planning and Zoning is the designated Enforcement Officer of this Resolution. The Director and/or Agent may issue citations for violations."; and

WHEREAS, Tennessee Code Annotated 68-221-1106 subsection (a) currently allows a County to establish by resolution that any person who violates the provisions of any resolution regulating storm water discharges or facilities shall be subject to a civil penalty of not less than fifty dollars (\$50.00) or more than five thousand dollars (\$5,000.00) per day for each day of violations; and

WHEREAS, a proposal has been made to amend the Penalties Enforcement section of the current Storm Water Resolution; and

WHEREAS, the Carter County Regional Planning Commission did study this proposal on October 9, 2012, and recommended that the Carter County Commission amend the Storm Water Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 19th day of November, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, amend the Penalties Enforcement section of the Carter County Storm Water Resolution to read as follows:

"Penalties Enforcement. Any Developer or person who shall commit any act declared unlawful under this Resolution, who violates any provision of this Resolution, who violates the provisions of any permit issued pursuant to this Resolution, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by any authorized Enforcement officer or the Carter County Planning Commission, shall be guilty of a misdemeanor, and each day of such violation or failure to comply shall be a separate offense and punishable accordingly. Upon conviction, the Developer or person shall be subject to fines of not less than fifty dollars (\$50.00) or more than five thousand dollars (\$5,000.00) per day for each day of violations, with each following day constituting a new offense. Unless otherwise specified within a section of this Resolution, the Director of Planning and Zoning is the designated Enforcement Officer of this Resolution. The Director and/or Agent may issue citations for violations."

BE IT FURTHER RESOLVED, this amendment shall be effective from and after its adoption, the welfare of the county demanding.

Adopted this 19th day of November, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: Leon Humphrey
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:

Mary Gouge
MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Keith Bowers, Jr.
KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION

OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, November 19, 2012

RESOLUTION NO. 577

**"RESOLUTION FOR AMENDING THE STORM WATER RESOLUTION OF
CARTER COUNTY, TENNESSEE"**

WHEREAS, Carter County has adopted a Storm Water Resolution for Carter County, Tennessee; and

WHEREAS, the Carter County Commission realizes that the storm water plan must be amended periodically to remain in compliance with applicable Tennessee state statutes; and

WHEREAS, item (1) in the Definitions section of the current Storm Water Resolution states as follows:

"Best Management Practices (BMP's): A schedule of activities, prohibitions of practices, design, construction and maintenance procedures, and other management practices to prevent the pollution of storm water runoff. (Specifically defined in TDEC's, Tennessee Erosion and Sediment Control Handbook, dated March 2002)"; and

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) has updated the Tennessee Erosion and Sediment Control Handbook referenced in the current Storm Water Resolution; and

WHEREAS, item (1) in the Definitions section of the current Storm Water Resolution must be amended to reflect the applicability of the current version of the Tennessee Erosion and Sediment Control Handbook; and

WHEREAS, a proposal has been made to amend item (1) in the Definitions section of the current Storm Water Resolution; and

WHEREAS, the Carter County Regional Planning Commission did study this proposal on October 9, 2012, and recommended that the Carter County Commission amend the Storm Water Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 19th day of November, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, that item (1) in the Definitions section of the Carter County Storm Water Resolution is hereby amended to read as follows:

"Best Management Practices (BMP's): A schedule of activities, prohibitions of practices, design, construction and maintenance procedures, and other management practices to prevent the pollution of storm water runoff. (Specifically defined in TDEC's, Tennessee Erosion and Sediment Control Handbook, current edition, in its entirety.)"

BE IT FURTHER RESOLVED, this amendment shall be effective from and after its adoption, the welfare of the county demanding.

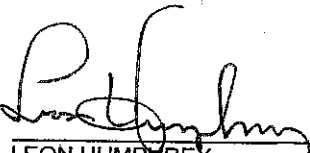
Adopted this 19th day of November 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 

THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

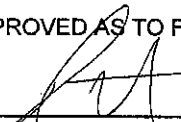
By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, November 19, 2012

RESOLUTION NO. 578

"A RESOLUTION ADOPTING THE COVENANTS FOR PERMANENT MAINTENANCE OF WATER QUALITY FACILITIES AND BEST MANAGEMENT PRACTICES AGREEMENT TO COMPLY WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION POST CONSTRUCTION WATER QUALITY REQUIREMENTS."

WHEREAS, Carter County has adopted a Storm Water Resolution for Carter County, Tennessee to comply with the requirements of the State of Tennessee Department of Environment and Conservation; and

WHEREAS, the State of Tennessee Department of Environment and Conservation has certain requirements regarding post construction water quality; and

WHEREAS, in order to fully comply with the requirements of the State of Tennessee Department of Environment and Conservation, Carter County must require persons owning property within the county to enter into permanent maintenance agreements for water quality and best management practices before their property is developed; and,

WHEREAS, Carter County has developed an Agreement entitled "Covenants For Permanent Maintenance of Water Quality Facilities and Best Management Practices" which sets forth the appropriate covenants a property owner must maintain in Carter County, Tennessee to comply with said requirements; and,

WHEREAS, said Agreement is necessary for Carter County to remain in compliance with the requirements of the State of Tennessee Department of Environment and Conservation; and,

WHEREAS, the Carter County Regional Planning Commission did study the Agreement entitled "Covenants For Permanent Maintenance of Water Quality Facilities and Best Management Practices" on October 9, 2012, and recommended that the Carter County Commission adopt said Agreement; and,

WHEREAS, it has been determined that it is in the best interest of the citizens and residents of Carter County, Tennessee, to adopt said Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 19th day of November, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative:

1. That the Agreement entitled "Covenants For Permanent Maintenance of Water Quality Facilities and Best Management Practices", which is attached hereto as Exhibit "A", is hereby adopted; and
2. That said Agreement must be fully executed by property owners in Carter County before their property is developed in order to fully comply with the requirements of the State of Tennessee Department of Environment and Conservation.

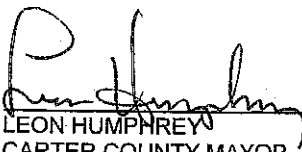
BE IT FURTHER RESOLVED, this Resolution shall be effective from and after its adoption, the welfare of the county demanding.

Adopted this ____ day of _____, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES

_____ NO VOTES

_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

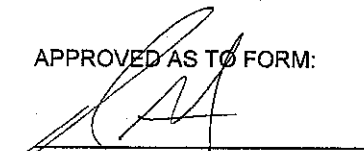
By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

Carter County, Tennessee:

BY: _____

STATE OF TENNESSEE
COUNTY OF _____

Before me, the undersigned authority, a Notary Public at Large of the State of Tennessee, personally appeared _____, with whom I am personally acquainted, and who, upon oath, executed the foregoing instrument for the purposes therein contained, and who further acknowledged that he is the _____ of Carter County, Tennessee and is authorized by Carter County, Tennessee to execute this instrument on its behalf.

WITNESS my hand and official seal at office in _____ County,
Tennessee this the _____ day of _____, 2_____.

NOTARY PUBLIC

My Commission Expires: _____

APPROVED AS TO LEGAL FORM:

Carter County Attorney

Date

U:\Carter County Attorney\Water Quality Agreement\revised agreement..

AGREEMENT

**COVENANTS FOR PERMANENT MAINTENANCE OF
WATER QUALITY FACILITIES AND BEST MANAGEMENT PRACTICES**

THE TERMS WATER QUALITY MANAGEMENT FACILITIES AND BEST MANAGEMENT PRACTICES MAY REFER TO: detention basins, retention basins, water quality basins, water quality wetlands, vegetated buffers, swales, pipes, oil / water separators, sand filtering devices, water quality credit areas, proprietary water quality devices, etc.

_____(an individual Owner, Company, Corporation, etc.), with its (office / residence) located at (Street Address)_____, (City)_____, (State)_____, (Zip Code)_____, (hereinafter "Property Owner") grants these Covenants for Maintenance of Water Quality Facilities and Best Management Practices (hereinafter "Covenants") as set forth below.

WITNESSETH:

WHEREAS, The Carter County Post-Construction Water Quality Resolution, Resolution Number _____, requires property owners to enter into permanent maintenance agreements for water quality and best management practices before the property is developed.

NOW THEREFORE, as a condition of the approval of a Water Quality Management Plan by Carter County, the property owner warrants, covenants, and grants as follows:

1. The Property Owner warrants that he/she is the owner of property located in Carter County, at (address)_____; Map _____, Control Map _____, Parcel Number _____; and more specifically of record by deed dated _____ in Deed Book No. _____ Page No. _____ with the Carter County Register of Deeds (hereinafter- referred to as the "Property") and that it has the right to grant said Covenants.

2. The Property Owner desires to develop all or a portion of the above described property in accordance with an approved Water Quality Management Plan for the property entitled _____, dated _____ and prepared by _____ (hereinafter "Plan").

3. The Property Owner will construct and maintain the water quality facilities and best management practices in strict accord with the Plan, specifications, calculations, and conditions required by Carter County MS4, prepared by the Property

Owner's engineer, and approved by the Carter County Planning Commission.

4. The Property Owner may be required to provide a surety bond, letter of credit, or cash bond acceptable to the Carter County Planning Commission and in an amount to be determined by the Carter County Planning Commission to guarantee that the water quality facilities and best management practices are constructed in accordance with the plan.

5. To ensure that subsequent property owners have notice of these Covenants and the obligations therein, the Property Owner will include in all instruments conveying any or all of the above-described property on which the water quality facilities and best management practices are located, the specific instrument numbers referencing these Covenants and the recorded plat indicated in paragraph 13 herein and the record drawings indicated in paragraph 16 herein.

6. The Property Owner will provide for adequate long term operation and maintenance of the approved water quality facilities and best management practices described in the Plan to ensure that the facilities and practices remain in proper working condition in accordance with approved design standards and all applicable rules and regulations. The Property Owner shall perform such maintenance activities as described in the attached "Maintenance Requirements and Inspection Checklist", along with necessary landscaping (e.g., vegetation planting or removal, etc.) and trash removal as part of regular maintenance.

7. In order to provide access to water quality facilities and best management practices by personnel, vehicles and equipment, the Property Owner will provide an access easement from a public street in strict accord with the Plan and any conditions required by the Carter County Planning Commission. The access easement is fifteen (15) feet in width, and has an internal unobstructed, traversable access width located within and along the entire length of the easement. The Property Owner further covenants that no structure or building will be erected on the access easement; that no woody vegetation will be allowed to grow on the access easement; and that no use will be made which will interfere with the use of said easement for access to the facilities. If access to the facilities is obstructed and the Carter County Planning Commission is required to remove the obstruction, the Carter County Planning Commission will follow the notice procedure, lien, and collection process as set forth in paragraphs 9 and 10 herein.

8. Property Owner grants permission to the Carter County Planning Commission, its agents and employees, to enter upon the property to inspect and monitor said facilities whenever the Carter County Planning Commission deems necessary and further for the Carter County Planning Commission or its agents to repair, replace, maintain, and reconstruct said facilities as permitted herein.

9. If the Carter County Planning Commission determines that the water quality facilities, best management practices, or both are not being maintained in good working

order, the Carter County Planning Commission will provide written notice to the current Property Owner to repair, replace, reconstruct, or maintain said facilities within a reasonable time frame. Said written notice must include identification of the property, the water quality facility(ies) or best management practice(s), a statement of the issue, and an estimate of the cost to repair, replace, reconstruct, or maintain said facilities including the imposition of any current fees imposed by the Carter County Planning Commission.

10. (a) If the Carter County Planning Commission determines that the water quality facilities, best management practices, or both are not being maintained in good working order and gives written notice to the current Property Owner to repair, replace, reconstruct, or maintain said facilities within a reasonable time, and the property owner fails to comply with the Carter County Planning Commission's notice within the time specified, Property Owner authorizes Carter County or its agents to enter upon the Property to repair, reconstruct, replace or perform maintenance on said facilities at the Property Owner's expense.

(b) If the Property Owner fails to pay Carter County, the Property Owner further authorizes Carter County to place a lien against the property for the amount of said expenses of the repair, maintenance, or reconstruction including any fees incurred plus a \$100/hour service charge.

(c) If the Property Owner fails to pay Carter County after fourteen (14) days written notice, the Property Owner authorizes Carter County to collect said expenses from the Property Owner through the appropriate legal action, with the Property Owner to be liable for the reasonable expenses of collection, court costs, and attorney fees.

(d) Property Owner recognizes, however, that this remedy does not obligate Carter County to maintain or, repair any water quality facilities, best management practices, or both or restrict Carter County from pursuing other or additional legal remedies against the Property Owner.

11. These Covenants shall be binding on the Property Owner's heirs, administrators, executors, successors, and assigns, and any and all subsequent property owners. Upon conveyance of the Property, these Covenants shall transfer to and be binding upon the new property owner and the original Property Owner shall be released from any and all responsibilities and obligations under these Covenants.

12. These Covenants are permanent and shall run with the land.

13. Property Owner will record a plat showing and accurately defining the easements for water quality facilities and best management practices and an access easement to these facilities on a survey plat of record. The survey plat must reference the instrument number, where these Covenants are recorded, and contain a note that the property owner is responsible for maintaining the facility or practice. (the record drawing and the easement plat should have a box in the lower right corner of each

sheet with the same name as the "Property Owner" listed in the covenants. This is to assist with future title searches. For the plat, this box should also contain the Property Owner's signature, printed name, and a statement that the Property Owner agrees to create the easement(s) shown on this plat and to maintain the water quality facility(s) or best management practice(s))

14. Property Owner will record these Covenants with the Carter County Register of Deeds and return the original to the Carter County Planning Commission before the plat is signed by Chairman of the Carter County Planning Commission, and before all or any portion of the property is transferred or conveyed.

15. Upon the Property Owner satisfying all duties set forth in this Covenant and proof of same, the property owner may make application to the Carter County Planning Commission for the return or refund of the bond, letter of credit or cash bond, if applicable.

16. The Owner may be required, as determined by the Carter County Planning Commission, to provide a record drawing of the constructed water quality facility(ies). If a record drawing is required, the Property Owner shall record in the office of the Carter County Register of Deeds an accurate record drawing (a.k.a. as-built drawing) of the property documenting that the water quality facility(ies) was/were constructed as designed and specified. (the record drawing and the easement plat should have a box in the lower right corner of each sheet with the same name as the "Property Owner" listed in the covenants. This is to assist with future title searches.)

17. The Addendum attached hereto is made a part hereof, incorporated herein, and adopted by reference as set out below. *(Complete Item 17 by briefly describing the documents that are inserted into the Addendum, and describe the Property Owners obligations with respect to those documents.) (Addendum Documents: The Addendum is essentially the Maintenance Manual for the BMPs chosen for the property. It is recommended that documents inserted into the Addendum be labeled as numbered exhibits, such as Exhibit 1, Exhibit 2, etc. Insert into the Addendum the "Maintenance Guidance and Checklist" referred to in item 6 above. If a BMP is chosen from the Water Quality BMP Manual, then the Manual provides maintenance guidance and check lists that can be used in the Addendum. If proprietary BMPs are approved for use, then the Addendum must include a copy of the manufacturer's recommended maintenance procedures and schedules. Also, it is recommended that Exhibit 1 be an area map showing the location of the property and repeating the tax map information and deed references. Unless the maintenance of the BMPs is not compatible with the information in Chapter 7 of the Water Quality BMP Manual, include Chapter 7 as the last Exhibit in the Addendum)*

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS as shown below.

PROPERTY OWNER:

BY: _____
(name, title, company name)

STATE OF TENNESSEE
COUNTY OF _____

Before me, the undersigned authority, a Notary Public at Large of the State of Tennessee, personally appeared _____, with whom I am personally acquainted, and who, upon oath, executed the foregoing instrument for the purposes therein contained, and who further acknowledged that he or she is the _____ and is authorized to execute this instrument on behalf of same.

WITNESS my hand and official seal at office in _____ County,

Tennessee this the _____ day of _____, 2_____.

NOTARY PUBLIC

My Commission Expires: _____

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS as shown below.

PROPERTY OWNER:

BY: _____
(name, title, company name)

STATE OF TENNESSEE
COUNTY OF _____

Before me, the undersigned authority, a Notary Public at Large of the State of Tennessee, personally appeared _____, with whom I am personally acquainted, and who, upon oath, executed the foregoing instrument for the purposes therein contained, and who further acknowledged that he or she is the _____ and is authorized to execute this instrument on behalf of same.

WITNESS my hand and official seal at office in _____ County,

Tennessee this the _____ day of _____, 2_____.

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, NOVEMBER 19, 2012

RESOLUTION NO. 519

"A RESOLUTION GRANTING AN EXCLUSIVE FRANCHISE FOR AMBULANCE AND RESCUE SERVICES TO CARTER COUNTY EMERGENCY & RESCUE SQUAD, INC. FOR ALL UNINCORPORATED AREAS OF CARTER COUNTY, TENNESSEE."

WHEREAS, Carter County Emergency & Rescue Squad, Inc. is a non-profit corporation organized under the laws of the State of Tennessee as a provider of emergency and rescue services; and

WHEREAS, the Carter County Emergency & Rescue Squad has provided a valuable service to the citizens and governmental entities of Carter County, Tennessee since 1951; and

WHEREAS, the valuable services provided to the citizens and governmental entities of Carter County by the Carter County Emergency & Rescue Squad have continued to expand through the years and include services such as: accident response, automobile accident extraction, search and rescue operations, prisoner transportation, hazardous materials incident response, underwater search and recovery, missing persons searches, body recovery and transport, swift water rescue, S.W.A.T. medics, public event standby, in addition to many other valuable services provided to the Carter County community; and

WHEREAS, the taxpayers of Carter County, through appropriations made by the County Commission of Carter County, have provided financial support to the Carter County Emergency & Rescue Squad for many years, which has enabled it to grow into a professional organization serving the citizens and governmental entities of Carter County, Tennessee; and

WHEREAS, the County Commission of Carter County has always maintained a healthy and productive working relationship with the Carter County Emergency & Rescue Squad through the years, as evidenced by Resolution number 278 passed on February 28, 2000 which granted an exclusive franchise for ground ambulance services to Carter County Emergency & Rescue Squad, Inc. in the unincorporated areas of Carter County, Tennessee; and

WHEREAS, the County Commission of Carter County desires to maintain said relationship with the Carter County Emergency & Rescue Squad, as said relationship is in the best interest of the citizens of Carter County; and

WHEREAS, Carter County Emergency & Rescue Squad, Inc. has expressed the need for an extended exclusive franchise agreement for ambulance and rescue services with Carter County, Tennessee to enable it to properly plan for the future financial stability of the organization; and

WHEREAS, the County Commission of Carter County finds that it is important to the health, safety, and welfare of the citizens of Carter County that Carter County Emergency & Rescue Squad, Inc. is able to maintain long term financial stability to continue to operate and provide services to the citizens and governmental entities of Carter County, Tennessee; and

WHEREAS, Carter County Emergency & Rescue Squad, Inc. has indicated to the Commission of Carter County that it intends to begin charging fees for services rendered to individuals within Carter County, Tennessee, said additional and new fees are outlined by Addendum 1 to this resolution; and

WHEREAS, the County Commission of Carter County recognizes that the Carter County Emergency & Rescue Squad, Inc. is an independent non-profit corporation that may set and collect fees for services rendered according to the laws of the state of Tennessee under which it is incorporated.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 19th day of November, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, the following;

SECTION 1. That the County Commission of Carter County, Tennessee hereby grants to Carter County Emergency & Rescue Squad, Inc. an exclusive franchise for ground ambulance and rescue services for a term of one (1) year; and

SECTION 2. That this exclusive franchise shall be subject to and subordinate to any and all conflicting Federal, State, or local laws and regulations concerning ambulance and rescue services; and

SECTION 3. That Carter County Emergency & Rescue Squad, Inc. shall operate subject to such reasonable rules and regulations as may be promulgated by the County Commission of Carter County, Tennessee or its designee; and

SECTION 4. That this exclusive franchise will automatically renew for another term each time the agreed upon term listed in Section 1 above expires, absent written notice of termination received by the County Commission of Carter County, Tennessee or by the Carter County Emergency & Rescue Squad, Inc., said notice to be provided at least one hundred twenty (120) days prior to the expiration of said term.

SECTION 5. That the County Commission of Carter County, Tennessee recognizes that it cannot approve or disapprove the fee schedule of the Carter County Emergency & Rescue Squad, Inc., as an independent non-profit corporation, the Carter County Emergency & Rescue Squad, Inc. establishes their own fee schedule for services rendered to the citizens of this County according to the laws of the state of Tennessee under which it is incorporated; however the Carter County Commission does recognize that notice has been provided by the Carter County Emergency & Rescue Squad, Inc. of its intent to begin charging new fees for all services listed on Addendum 1 which is attached hereto and incorporated into this resolution accordingly.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding, and further that any part of past resolutions in conflict with this Resolution are hereby rescinded to the extent that a such conflict exists.

Adopted this 19th day of November, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: Leon Humphrey
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:


_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:


By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

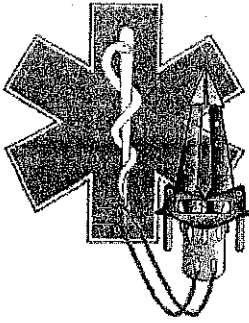
Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY



Addendum 1

CARTER COUNTY EMERGENCY & RESCUE SQUAD, INC.

EMS Division
P.O. Box 776
Elizabethton, TN 37644-0776
(423) 543-5445

Rescue Division
P.O. Box 682
Elizabethton, TN 37644-0682
(423) 542-8421

FAX (423) 543-4323

Charge List

Response Fee - No Treatment	\$75.00
Response Fee - Treatment Given	\$150.00

MVA / Extrication Chargers

MVA Rescue Response Fee No Transport	\$75.00
Extrication - First 30 min.	\$300.00
Extrication - Each additional 30 min.	\$75.00
Heavy Rescue Extrication - First 30 min.	\$375.00
Heavy Rescue Extrication - Each additional 30 min.	\$125.00

Meth Labs \$150.00 plus out of pocket / Labor / Supply cost
We invoice the Land Owner and/or the Occupants.

~~DOA Transports \$150.00 plus supplies invoice the County or Coroner
Office~~

~~Prisoner Transport \$75.00 to Sycamore Shoals Hospital ER invoice the
County or Jail Physician.~~